

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ANTONIO FREEMAN, #01512080,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 6:22-cv-240-JDK-JDL
	§	
DIRECTOR, TDCJ-CID, et al.,	§	
	§	
Defendants.	§	
	§	

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Plaintiff Antonio Freeman, a Texas Department of Criminal Justice inmate proceeding pro se, brings this civil rights lawsuit under 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636.

On December 22, 2022, Judge Mitchell issued a Report and Recommendation recommending that the Court deny Plaintiff's motion to proceed *in forma pauperis* and dismiss this case without prejudice until Plaintiff pays the sanctions imposed by the Northern District of Texas and provides proof that he has satisfied the sanctions imposed. Docket No. 4; *see also Balawajder v. Scott*, 160 F.3d 1066, 1067-68 (5th Cir. 1999) (holding that courts may honor sanctions issued by another court). To date, no objections have been received.


This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and

Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days).

Here, Plaintiff did not object in the prescribed period. The Court therefore reviews the Magistrate Judge's findings for clear error or abuse of discretion and reviews the legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989) (holding that, if no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law").

Having reviewed the Magistrate Judge's Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 4) as the findings of this Court. It is therefore **ORDERED** that Plaintiff's motion for leave to proceed *in forma pauperis*, (Docket No. 2) is **DENIED**, and this case is **DISMISSED** without prejudice.

So **ORDERED** and **SIGNED** this **12th** day of **May, 2023**.


JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE